

MAGISTRATE JUDGE NEWBERN COURTROOM MINUTES FOR CRIMINAL PROCEEDINGS
by VIDEOCONFERENCE

U.S.A. v. Riccardo Paolo Spagni, No. 3:21-mj-4149

ATTORNEY FOR GOVERNMENT: Joe Montminy

ATTORNEY FOR DEFENDANT: Jonathan Farmer, Melissa Meister
Henry Leventis, Brian Klein, AFPD Panel Retained

PRETRIAL SERVICES/PROBATION OFFICER: Andrea Testa

INTERPRETER NEEDED? YES ☒ NO ☐ LANGUAGE/INTERPRETER: _____
☐ PRESENT ☐ ON TELEPHONE

☒ Defendant consents to status conference ~~Initial App.~~ and ☐ All future hearings before the Magistrate Judge by video conference.

☐ INITIAL APPEARANCE ☐ ON A SUMMONS ☐ ARRESTED ON: _____

DEFENDANT HAS A COPY OF:

- ☐ Complaint ☐ Indictment ☐ Information ☐ Supervised Release Pet. ☐ Other _____
☐ Defendant advised of the charges and the maximum penalties ☐ Defendant has a copy of notice of rights
☐ Defendant advised of right to counsel ☐ Counsel retained
☐ Defendant sworn and/or certified under penalty of perjury and financial affidavit filed ☐ FPD Appointed
☐ Defendant advised of right to silence
☐ Defendant advised of right to **Consular notification**
☐ GOVERNMENT and DEFENDANT advised of Due Process Protections Act of 2020
☐ Defendant advised of right to preliminary hearing ☐ Defendant waived preliminary hearing
☐ Government motion for detention ☐ Defendant temporarily detained
☐ Defendant waived detention hearing ☐ ICE detainer on defendant
☐ Defendant reserved right to hearing in future ☐ Defendant to be returned to State custody
☐ Defendant to remain in Federal custody ☐ Defendant waived rights under IAD
☐ Defendant remain on current conditions of supervised release
☐ Defendant ordered to psychological/psychiatric evaluation
☐ Defendant released on:
☐ Own recognizance with conditions of release ☐ standard ☐ special
☐ Appearance bond in the amount of: _____
☐ Property bond [description of property]: _____

- ☐ **RULE 5** - Defendant advised of right to identity hearing ☐ Defendant waived identity hearing
☐ **RULE 5** - Defendant reserved right to have preliminary hearing in District of Prosecution
☐ **RULE 5** - Defendant elected to have detention hearing in District of Prosecution
☐ **RULE 5** - DEFENDANT ADVISED OF RIGHT TO RULE 20 TRANSFER

☐ PRELIMINARY/DETENTION/ARRAIGNMENT CONTINUED TO: _____

☐ GRAND JURY WAIVED IN OPEN COURT [Defendant sworn and advised of rights by Court]

☐ ARRAIGNMENT

- ☐ Defendant acknowledges he/she has copy of Indictment/Information ☐ Court advised Def. of penalties
☐ Defendant waives reading thereof ☐ Indictment/Information read to defendant by Judge
PLEA: ☐ GUILTY ☐ NOT GUILTY ☐ Defendant intends to plead guilty and case referred to DJ

DATE: 9/20/21 TOTAL TIME: 40min
BEGIN TIME: 12:02 p.m. END TIME: 12:42 p.m.
Digitally Recorded

☐ **RULE 5 IDENTITY HEARING**

- ☐ Held, defendant found to be person named in warrant
☐ Held, defendant found NOT to be person named in warrant and released
☐ Waived in open Court

☐ **PRELIMINARY HEARING**

CONTINUED TO: _____

- ☐ Probable Cause found/Held to answer/bound over ☐ Discharged from custody
☐ Defendant waived preliminary hearing
☐ RULE 5 - Held to answer in District of Prosecution
☐ RULE 5 - Defendant reserved right to have hearing in District of Prosecution

☐ **DETENTION HEARING**

CONTINUED TO: _____

- ☐ Government withdrew motion for detention or agreed to release
☐ Pretrial Services Report made a part of the record ☐ Counsel moved to retain copy of PTSR/granted
☐ Bond set at: _____ ☐ Defendant released on [date]: _____
☐ RULE 5 - Defendant elected to have hearing in District of Prosecution
☐ Defendant waived detention hearing ☐ Defendant reserved right to hearing in future
☐ Defendant detained, order to enter ☐ ICE detainer pending
☐ Defendant to remain in Federal custody ☐ Defendant to be returned to State custody
☐ Government moved for stay of execution of release pending appeal
☐ Motion granted ☐ Motion denied
☐ Defendant advised of right to appeal

☐ **ARRAIGNMENT ON MISDEMEANOR**

- ☐ Defendant acknowledges he/she has copy of Indictment/Information
☐ Indictment/Information read to defendant by Judge ☐ Defendant waives reading thereof
PLEA: ☐ **GUILTY** ☐ **NOT GUILTY**
☐ Misdemeanor - defendant consented to trial before Magistrate Judge
☐ Written plea agreement/filed in open Court ☐ Oral plea agreement
☐ Guilty plea: ☐ Accepted ☐ Rejected ☐ Taken under advisement

☒ **OTHER**

- ☒ Type of hearing and outcome: Status conference; Mr. Spagni is to be released on conditions on 9/20/21.

☐ **DEFENDANT DID NOT APPEAR AS DIRECTED, BENCH WARRANT ISSUED**

NOTES/EVIDENTIARY MATTERS/SENTENCING:

(Witnesses, Exhibits, Attach W/Ex List if necessary)